

Remarks

First, applicants point out that claims 1-32 were pending, as confirmed by Examiner Fredman during an October 14, 2003 telephone conference. Claims 21-32 had previously been added by a preliminary amendment. Examiner Fredman confirmed that claims 21-29 corresponded to Group I, and claims 30-32 corresponded to Group II. Applicants have herein canceled claims 1-32 without prejudice and added new claims 33-42. Support for this amendment may be found inter alia in the originally-filed claims and the following: page 6, lines 3-20; page 17, lines 1-17; page 23, lines 12-23; page 87, lines 10-25; page 3, lines 2-23; and page 20, line 1 to page 22, line 17. Accordingly, this amendment is respectfully requested such that claims 33-42 will be pending.

Restriction

The Examiner has required restriction to one of the following under 35 USC 121:

- I. Claims 1-12 and 21-29, allegedly drawn to methods for generating a phosphorylatable polypeptide, classified in class 436, subclass 543;
- II. Claims 13-15, 18 and 30-32, allegedly drawn to polypeptides, classified in class 530, subclass 350;
- III. Claims 16-17, allegedly drawn to polynucleotides, classified in class 536, subclass 23.1; and
- IV. Claims 19-20, allegedly drawn to methods of generating computer models, classified in class 702, subclass 19.

In response to the restriction requirement, applicant hereby provisionally elects newly added claims 33-42 for examination, with traverse. Claims 33-42 all relate to a phosphorylatable polypeptide, which the Examiner may wish to characterize within Group II.

Application No.: 09/872349

Docket No.: PBLI-P01-007

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. PBLI-P01-007 from which the undersigned is authorized to draw.

Dated: January 5, 2004

Respectfully submitted,

By 

Spencer H. Schneider

Registration No.: 45,923

ROPES & GRAY LLP

45 Rockefeller Plaza

New York, NY 10111-0087

(212) 841-5700

(212) 841-5725 (Fax)

Attorneys/Agents For Applicant